The Daily Oregonian

Morning Oregonian.

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GENERAL NEWS.

BY TELEGRAPH TO THE OREGONIAN

Barkis is Willin'.

NEW YORK Feb 9—The New York Times of to morrow will print the following editorial par graph

A dear personal and p sonal friend of ex P sident Grant, who does not always wish for he speaks authorizes the f llowing as a correct statement of the general's p sition with reference to the presidency He is h re, Grant said now, a free man He has ever said since for the presidential nomination which was written on by here on the subject to any p rson that assertions to the contrary are without foundation in fact

Celebrating their New Year

CHICAGO Feb 9—The Chinamen to-day of whom there are 150 in the city celebrated New Year and squared their debts in their peculiar way The celebration was one Decorous.

Disastrous Explosion at Detroit.

DETROIT, Feb 9—A boiler in the salt house of the Hawley Salt C in this city exploded at about 8 this morning demolishing the engine house and damaging the salt house to the extent of $200 000. Two men were in the engine room at the time of the accident, but escaped with slight injury.

Explosion of Nitro-Glycerine

BRADFORD, Pa, Howard Hackett and James Feeney were driving to Oilville with 100 pounds of nitro-glycerine when the sleigh was upset. An explosion followed and the two men and the horses were killed. The sleigh was demolished and three houses and a barn, five rods away wrecked

The Last Spike

DENVER, Feb 9—At 11 30 to day the last spike necessary to comple e the branch of the Atchison, Topeka & Santa Fe railroad to Santa Fe, was driven by Gov Wallace, Gen Hatch and staff the legislature and othe notables attending There is much rejoicing at San ta Fe.

The Londonderry Outrage

MANCHESTER, N H, Feb 9—Mrs Dilling ham, the victim of her nephew's fiendish assault at Londonderry, was alive this afternoon, but sinking rapidly and will probably die before morning Young Dillingham is the victim of yellow covered literature of the basest sort, and read with eagerness a detailed account of a cruel murder. He will be detained for trial

Prompt and Effective Justice

LAS VEGAS, New Mexico, Feb 8—The "cow boys"—Jim West, John Dorsey and Tom Henry—implicated in the shooting of Carson two weeks ago, were dragged from their cells this morning by a mob of 75 armed men, who broke into the jailer's room and forced him to give up the keys They were dragged to the central plaza and ropes thrown over the beams of the windmill pump West was hauled up and strangled, but the impatient mob soon began firing, and in a short time Dorsey and Henry were riddled with balls There was no resistance by the mob. The bodies were removed during the forenoon.

BY ATLANTIC CABLE.

Better Report from Ireland.

DUBLIN, Feb. 9.—Though deplorable accounts still come from some districts, there is generally a more hopeful spirit among the people. New applications for loans by landowners the past week reached 200, amount applied, £211,000, since the 22d of November, £3,768,000. The board of public works takes care that laborers are paid in cash, and that the amount of the first issue has been expended in substantial work before they have a second installment.

DUBLIN, Feb. 9.—Relief measures have already had a beneficial effect, and a more hopeful spirit is growing among the people.

Parnell Criticised.

Parnell's attack on the relief committees is condemned even by some of his most ardent admirers. The *Irishman* newspaper strongly deprecates his language about the Mansion house fund

The British Government Considering Ulster Measures.

The members of the government and heads of the Irish departments met to-day at the official residence of the chancellor of the exchequer to devise means for meeting the distress in Ireland.

The English Ballot Act.

LONDON, Feb. 9.—In the house of commons the chancellor of the exchequer stated that he intends proposing the renewal of the ballot act for one year, so as to give the new parliament opportunity to consider the question. He also said he intends shortly to introduce bills on the corrup. practices at elections, and for distributing six seats now vacant in the house of commons, by disenfranchisement of certain towns as punishment for bribery.

The Theater Royal at Dublin Burned.

DUBLIN, Feb. 9.—The Theater Royal was completely destroyed by fire this afternoon and is still burning, and adjoining houses are endangered. The police inspector and one workman were injured. The military keep order and assist the fire department There was to have been a day performance this afternoon, at which the duke and duchess of Marlborough were to be present. The fire was occasioned by the ignition of the curtains of their state box.

LATER.—The Theater Royal is still burning The manager of the theater, the property man and four assistants perished in the flames. The lord lieutenant was present during the burning. The loss is estimated to be £200,000.

A Comet.

Director Gould, of the national observatory, at Cordova, Argentine Republic, telegraphs that a great comet is passing the sun in a northward direction

Before the Commons.

LONDON, Feb 9—In the house this afternoon the duke of Argyle admitted that in his dispatch to Shere Ali in 1869 he styled Queen Victoria the "Empress of India" having used those words because they could be more easily translated in the Persian language.

Michael Davitt, Irish agitator, was in the gallery of the house of commons to-day listening to debates on the home rule amendment to the address in reply to a speech from the throne

Denial.

PARIS, Feb 9—Admiral Jauregaiberry's resignation is officially denied

Personal

PARIS, Feb 9.—Senator Cremieux is confined to his bed by a violent attack of bronchitis. His illness excites some uneasiness

The French Ministry.

PARIS, Feb 9—There is a serious possibility of Admiral Jauerguiberry resigning from the ministry of marine in consequence of the budget committee's decision to postpone a vote of 800 000 francs for colonial defenses until the proper data be forthcoming It is said that Le Pere, minister of the interior will also resign

Vesuvius on a Bust.

NAPLES, Feb 9—An eruption of Mount Vesuvius began on Saturday

Official Matters.

VIENNA, Feb 9—It is thought that Krieger's appointment as educational minister has only been deferred till the report of Dr Stremayr's resignation is officially denied

Disgraceful Scene.

BERLIN, Feb 8—A disgraceful scene occurred in the lower house of the diet yesterday during debate on public worship estimates caused by some member of the center party laughing loudly while the imperial order regarding Catholic bishops was being read

Russia will not Allow England to Control Herat

VIENNA Feb 9—Lasonoff Russian ambassador at London has received fresh orders from his government to hint in his discussion with the English cabinet on Asiatic affairs, that Russia considers Herat as lying beyond England's sphere and that she could not therefore suffer Herat to be explosive or subordinated to British influence

Russian Matters

ST PETERSBURG Feb 9—Most entire [illegible] exception of military service must [illegible] Count Loris Melikoff will this year succeed [illegible] Interior

Count Ignatieff has resigned from Count Loris Melikoff's cabinet on the question of the organization of the Russian Bulgarian army The latter has been appointed by the Russian government to the command of the Bulgarian army

Heat Race on the Lyne

LONDON Feb 9—A match over the Lyne course between Hanlan and Courtney for the championship was rowed this morning Hanlan was the favorite by four lengths

A Fight in Afghanistan

LONDON Feb 9—The *Times* has the following from Candahar Reports have been received here of a second and more bloody struggle between rival parties at Herat The loyal troops attacked the Obuleese stationed there unawares and inflicted heavy loss before the Obuleese could bring their artillery to bear on their assailants When this was done the Heratis were defeated with great slaughter

VANDERBILT'S MILLIONS.

Cornelius Tries a New Scheme to Make William Pungle

SPECIAL DISPATCH TO THE OREGONIAN]

NEW YORK, Feb 9—Cornelius J Vanderbilt has applied to Judge Donohue to have his brother William H Vanderbilt removed as trustee from the trust imposed upon him and Edwin D Worcester, in execution of the trust deed made by William H Vanderbilt in settlement of all litigation between him and Cornelius The latter's petition sets forth that he and William are the surviving sons of the late Cornelius Vanderbilt that the activities of business are essential to his health and comfort and having paid out the greater portion of what he has received in the settlement of old debts he has not enough to properly carry on a business that by the trust deed he is only allowed interest on the money invested, and that the securities which represent it, having now reached their highest value and being overrated on account of the connection of Wm H, he maintains that they should be sold He further asks that on behalf of the $460,000 invested he paid him. He states the has brother is worth over $100,000,000 and that his receiving the money asked for would work no injury to any one The petit on further states and sets forth fully the letter written by petitioner to Wm H, which recites the above facts and also the reply of the letter denying the application, and on that ground he appeals to the court. The trust deed of which Edwin D Worcester is trustee, gives to Cornelius, during his life an income of the following property 1500 shares of $100 each of the New York Central stock, 1000 shares at $500 each of capital stock of New York & Harlem railroad; $100,000 of 8 and 5 per cent bonds of Canada Southern Railway Co, due in 1880 and $58 000 of second mortgage 7 per cent bonds of Lake Shore & Michigan Southern Railway Co due in 1903 There is also a clause stating that by consent of Wm H and Cornelius Vanderbilt and the trustee he trust may terminate and principal be paid to Cornelius Judge Donohue denies the application and gives a lengthy opinion in which he fully revie ws the facts as stated

PRESIDENT MAKING.

Roundabout Assurance that Conkling and New York will Support Blaine After Grant.

[SPECIAL DISPATCH TO THE OREGONIAN.]

WASHINGTON, Feb. 9—The publication of what purport to be a private letter from C. W. Moulton to Secretary Sherman, regarding Senator Conkling's position towards Sherman in the event of Grant's withdrawal, has been the subject of no little comment among the supporters of Grant and Blaine in congress Secretary Sherman's statement that he has no doubt that this letter correctly represents the true condition of the relations of Conkling towards his candidacy, has only intensified the feeling in political circles Your correspondent was assured to-day by a United States Senator, a personal friend of Senator Conkling, and who is fully informed as to the latter's views that the Moulton letter grossly misrepresents the New York senator and is utterly devoid of truth. Conkling expects General Grant to be the nominee of the Chicago convention, but in the event of that not being the case, he will not transfer his strength to Sherman, as alleged As between Sherman and Blaine he decidedly prefers the latter and his friends will be advised to throw their strength for Blaine The senator says further that Gov Cornell and Gen Arthur of New York are warmly for Blaine, after Grant, and that Blaine will undoubtedly carry the New York delegation if Grant is withdrawn

WASHINGTON CITY.

Temperance in High Places.

WASHINGTON Feb. 9—The American Congressional Temperance Society has elected Secretary of the Navy Thompson president

The Northern Pacific.

The senate committee on railroads to day heard an additional argument from Col Gray, attorney for the Northern Pacific company in advocacy of the pending bill for a six years' extension of the time stipulated in it at company's charter for completion of he road The bill was not taken up for action to day.

Confirmations.

The senate has confirmed Geo D Bowen register of the land office at La Messila, N M, and Samuel W Sherfrey receiver of public moneys at the same place.

A Bill to Relieve Georgia.

Representative Hammond has introduced a bill for the relief of Georgia It directs the secretary of the treasury to pay to the state of Georgia the proceeds of all cotton taken from her possession by agents of the United States which may be ascertained to be in the treasury of the United States

A War Claim Disallowed.

The house committee on war claims decided to-day to report adversely the claim of Burbridge & Co amounting to $40 000, for sugar, molasses and rum sequestered by Gen B F Butler at New Orleans

Gen. Sherman not Sued for Libel

Gen Sherman sends a card to the associated press to correct the impression that Gen Boynton has begun suit against him for libel, and says Boynton has taken no steps except for publication in newspapers

The President Considering Major Reno's Request

Major Reno has telegraphed the president for permission to resign and the president is considering the request Meanwhile the war department is delayed the approval of the sentence of the court martial dismissing him

New Rules Governing the Running of Steamboats in Western Waters

The board of supervising inspectors of steam vessels adjourned to day after making the rule that henceforth upon western rivers descending steamers have absolute right of way The form of all certificates of inspection of passenger freight ferry and towing steamboats was changed by striking from the backs thereof the memorandum of inspection and transferring to the face of the certificate whatever is deemed essential an extra man is to be in or near the pilot house on passenger and ferry steamers at all times Ferry steamers are required to carry the same lights as passenger steamers on the same streams Pilots are to be examined for color blindness

MEXICO

Successful Revolution in Lower California

SAN DIEGO Feb 3—Official information was received to day from San Rafael Lower California of the arrival there of Gen Martinez The forces of the federal government are said to have made no opposition to the revolution It is reported that Martinez after having things politically well dear for Baja and carry on his movement against Diaz in the northern states of Mexico

The hatchet used by myself and Mr Kelly is still above ground Due notice of the interment will be given —*S Tribune*

CONGRESSIONAL

Senate

WASHINGTON Feb 9—Mr Hamlin presented the petition of the Kansas legislature for the passage of the Pacific railroad bill

Mr Hill introduced a bill to grant to the New National Museum building the grounds at Washington in the national cemetery at Gettysburg

Mr Buckner introduced a bill to reduce the duty on printing and other paper About 2 cents a pound and 25 per cent to 35

Mr Phillips of Pa, in the contest of claims against Mexico never claims now being prosecuted before the quartermaster general the commissary general and the third auditor

Mr Bayard for a uniform system of fortification

Mr White to reduce and reorganize the army

All the states and territories having been called the senate decided that they had by a majority of several motions to suspend the rules to be made from committees He therefore recognized Senator Ryan to submit such motion on the part of the committee on public lands

Weaver rose to a point of order that under such a rule individual members of the house would be forever excluded from the right to make such a motion

The speaker stated that he had last session and this session laid down a rule for himself, that where a member representing a committee rose to move to suspend a rule the chair would recognize him in preference to any individual member He thought that that was not only right and proper but that it was in the direction of legislation

Conger reminded the speaker of a point made by Adam Conger last Monday as to the right of the members in minority to be recognized

The speaker said that he had taken that point into consideration and had now recognized a member of a minority here still smaller than whenever the gentleman from Iowa has a motion to submit from a committee the chair will recognize him first.

Gillette—I want to know how the party of the center can represent a committee

Speaker—There is no such committee known to the house rules as committee of the center The chair has no doubt of the fairness equity and propriety of his position

Ryan thereupon, from the committee on public lands moved to suspend the rules and pass the bill creating an additional land district, the southwestern in Kansas passed

Thomas from committee on revision of laws moved to suspend the rules and pass the bill to regulate practice in suits brought to recover damages for infringement of patents agreed to and bill passed.

CHINESE TRADE.

Chinamen "Cornering" the Sandwich Island Trade—Freights on the West Coast.

[SPECIAL DISPATCH TO THE OREGONIAN.]

NEW YORK Feb 9—Capt Bockman of the steamer *Electra* just arrived here from Honolulu, thinks that the present Chinese emigration to the Sandwich Islands will increase and that eventually they will supersede American, German and English there in the control of trade as they belong to the respectable model class of the real mandarins, and are intelligent and well off Chinese merchants The steamship company will continue to run its vessels there and appears to be entering upon new lease of life, having recently purchased three or four new steamers The company is holding its own, has an increasing trade, receiving a subsidy of $500 000 yearly Capt Bockman says that freights were very high all along the coast when he left and were likely to continue so for some time He was offered £3 10s to England As evidence of the reviving trade all through the east, the captain says that he passed twenty-nine loaded steamers in the Suez canal, all in one day, something wholly unprecedented in his experience

THE NORTHWEST.

Eastern Oregon.

A stabbing affray occurred at Weston on the 3d inst Wm Ellis and A B Mackey had a dispute about some horses some high words passed, when Mackey drew a knife and stabbed Ellis in the bowels, inflicting a dangerous wound It is hoped that it will not prove fatal.

At a meeting of republicans was held at Pendleton last week for the purpose of selecting a county central committee Major Conoyer presided After some time had been spent in conference, the following persons were chosen Fred. Page-Tustin, chairman R Eastland, secretary Thos Kirk, T J Fletcher, N A. Cornoyer, Jacob Probstel J H Koontz, E. Gilliam C M Mallory, J S Vinson, J C Franklin, T H Bisbee A C Pettys and Geo Redding Fred Page Tustin was chosen to represent Umatilla county in the state central committee and was instructed to urge that the coming state convention be held at the Dalles

Southern Oregon.

The farmers of southern Oregon are waiting impatiently for good weather

The cabin of Stephen Oyster, on Thompson creek was burned to the ground one day last week during his absence. The loss is estimated at $200

Two men Roberts and O Neil, were thrown into Bear creek last week by the breaking down of a wagon on which they were riding The former was struck by one of the horses above the eye and severely cut.

Butte creek correspondence Stock is faring tolerably well in this section Horses seem to be more affected than cattle by the severe weather several having died recently Mr Brown has lost three head Obenchain Bros eight, and others in proportion

Eastern Washington.

Spokan Falls wants an express office

Another beautiful waterfall has been discovered in the Upper Spokan

The population of the Spokan county has nearly doubled in twelve months An immense crop of wheat will be raised this year.

Southern Oregon Mines.

[From the Jacksonville Times]

Too cold for effective mining

The Josephine mine on Rogue river is in full blast

The miners of Sterling are working a portion of each day, Geo Yaudes informs us

The Squaw Lake Company will be ready for active operations when the cruel freeze is over

John Attebery has four hands employed in his claims on Jacksass creek and promises a good report this season

F I Beck will put a pipe on his diggings next season being dissatisfied with the old pipe and shovel method

Todd Lay Son on Rogue is quite sick his old chair of ol ges and has been pining for a short time though the weather is again interfering

The Sterling Company is able to utilize but a small amount of water owing to the freezing weather Only one pipe is operated and that during the larger portion of the day

R A Cook of Foots creek reports that cold weather has not affected the miners of that section as much as it has those else where and most of them are busily at work

The Applegate Gravel Company and Chapel Lakeshon & Co are piping away in mindful of the fact that Old Boreas will not last his sway Both are sanguine of excellent returns

Cold weather is also pestering the miners of Josephine county who are enabled to run only a portion of the day Should the cold snap end sometime the prospects are good for remunerative run these

Frank Lewis from Galice creek reports matters progressing there though it has been considerably retarded by the prevailing weather The outlook for a prolonged season encouraging however

Gen Lyon made a recent trip to the last week which yielded him nicely considering the early season When he returned to the he has been able to operate his pets each day but a short time each as the creek is still high but will be on that full by the

The Democratic Journal says certainly the republican state convention even under extraordinary circumstances would mean hopeless defense all through the canvass and certain defeat at its close

THE PACIFIC COAST.

CALIFORNIA

Tariff Rates on Chinese Imports Considered by San Francisco Merchants

SAN FRANCISCO Feb 9—A meeting of merchants was held at Wm T Coleman's office this morning, to consider the question of tariff on Chinese rice and starch Most of the starch and rice factories were represented by agents It was suggested that Congressman Davis had already introduced a bill to raise the duty on rice and it was thought reduced to a level that part of the specific duty on starch was asked for It was thought that if Congress could be induced to increase the duty on rice, befriended from it to suit the Chinese, and to allow the starch to remain unchanged

Knilloch Addresses Unemployed Men at the Sand Lot

SAN FRANCISCO Feb 9—A large number of the unemployed workingmen assembled on the sand lot this afternoon to hear Mayor Kalloch address them from the platform erected for the purpose by the Workingmen's Party of California By Thomas W Knox New York Harper & Bros San Francisco A L Bancroft & Co Canada Ontario Illustrated

This is a freely illustrated narrative of the travels of fictitious characters in Japan and China It is written for children and conveys in simple and interesting text much information while the attention is kept and the curiosity piqued by sufficient of plot and story form to engage the juvenile mind from the first to the last page Probably this is the first book written from other than a religious standpoint to convey information to the boys and girls of America concerning the lands of curiosity and mystery Mr Knox's descriptive powers are unquestioned—they exceed his endeavors in the realm of fiction by far for he is not near so good a story teller as he is a descriptive writer However he has sufficient tact to address himself to youth in the narrative form, and this with more ease and success than we would have given him credit for judging from his previous efforts His book is one which any child may read to advantage, and which cannot fail to interest, amuse and instruct

ART IN AMERICA A Critical and His orical Sketch by S W Benjamin New York Harper & Bros For sale by A L Bancroft & Co San Francisco

We have here a freely illustrated and highly embellished work, with about one hundred choice plates (wood cuts), reproducing in miniature specimen works of such artists as Copley Simbert Newton, Lilly Lee Clear, Baker, Mount Weir, Durand, Richards, Crospey, Church, Miguet, Lafarge, Moran Casilear, Magrath, Rogers, Fa mer, Hartley, Gibson, Rembart, Eakins, Tiffany, Die man, Murbman, Sartain Powers, Ward, Story, Bridges and others. Mr Benjamin is the author of Contemporary Art in Europe,' a series of articles of recent appearance, which attracted much attention for their historic accuracy, clearness of perception and impartiality of judgment as well as for grace of diction Mr Benjamin cannot be said to be a believer in the genius of art, he takes the high ground that the art of a nation is the result of growth—centuries of growth, and that with it, as with all other efforts of the human intellect, its crowning excellence comes only when maturity and repose offer the occasion for its development It is one of the chief merits of the rest of this writer that at no time does he permit his judgment to be carried from its basis by enthusiasm He, perhaps, may be more properly styled an art historian than an art critic his work partaking more of the nature of history than of criticism, but it is by no means lacking in critical character force The work should not be classed as a full history, however, but rather as an outline of the growth of arts in America. This seems to have been the modest aim of the writer, and he has subordinated criticism to it He has not considered the claims of a number of prominent American artists resident abroad to a place in his record, but, as he apologetically suggests, it was necessary to draw a line somewhere, and to have discussed the productions of American artists away from home would have enlarged the scope of the work too greatly to have permitted its issuance in such a form as to popularize it, and this was one aim, evidently, of the production—to invite reading by those who have heretofore given but little time to the consideration of art culture. The articles in this work originally appeared in serial form in *Harper's Magazine*" but in their new arrangement possess new interest

THE NORTH AMERICAN OF ANTIQUITY by John T Short. New York Harper & Brothers. For sale by A L Bancroft & Co San Francisco

Though the field traversed by this book has been much worked by Baldwin, Foster and others, this author contributes no small quantity of valuable matter which he has worked into new forms, and in many cases to different conclusions from those reached by his predecessors The writer has given himself room enough to traverse most of the field indicated by his title The facts are of course, few and scant, and are of a character which requires patient investigation and a mind trained to inductive studies to work them out One inquirer may make much of evidence which to another would furnish no information It is an undoubted fact of history that Eric the Red of Sweden, visited the northern coast of America in the tenth century and a settlement was afterwards founded by him on Thera is tolerably strong evidence that the Welsh visited North America in the twelfth century There is an unverified statement that the Irish were in the region of South Carolina in the sixth century which was then known as Whitemen's land In the fourth century a Chinese traveler landed somewhere on the Pacific coast and made his way far into Mexico But there were inhabitants long before any of these dates Recently, in the Lake Superior region some miners came upon an old bark thirty feet below the present surface They found at the bottom of it a mass of copper on what is called sleds for removal Two wagon loads of ancient mining tools were also found in the same place Through the center of the continent down to the gulf are mounds of the most fantastic shapes some in the form of huge elephants others in that of serpents One of the latter has been discovered in Ohio. Long There are also to be found built on the high bluffs of rivers exhibiting considerable fortification skill Pits, trenches in some cases display something very like modern engineering. Pottery and implements of various kinds manifesting a high art have also been brought to light We know no better name for those who constructed these works than that of mound builders But who were the mound builders and whence their origin? They had evidently attained a high state in the country's way in the north as in the gulf as proof are relics of ancient origin than those in Ohio and New York

The following are the names of Colorado trees and shrubs, most of them of the stuff described by people who put in houses on the slopes of the [illegible] as well the cow would suppose only a weak [illegible] old reach These dwellings always have windows looking toward the plains as a lookout for the enemy which had fired it, and these secure retreats were built on high rocks and peaks of the mountains 500 and 1000 feet from the valley below Even the pueblo Indians are reported to have had their fortresses on level mesas, but these are of a later date Hence the current theory that they came from Mexico with a little remnant of Aztec blood mixed with that of the Toltec race [illegible] carried on pursuit by Mr Short in connection with many others are regarded as somewhat fanciful and hardly could have been reached [illegible] the language of the cliff dwellers is real we cannot but say in the highest degree useful and original in the investigation Much progress has already been made in this branch of the subject by Mr de Hinny and her co-laborers and assistants The difficulty would not be so great but for the superstition which led to the destruction of a large portion of Mayan MSS They were regarded by some of the early priests as idolatrous and were consigned to the flames Bishop Landa who did a good deal of this burning however discovered the Mayan alphabet which is now being made use of by Mr de Hinny and his colleagues If there was nothing else to tell upon but tradition there would be little doubt of the Semetic origin of at least the early inhabitants of the southern portions of the continent They have a mountain down there—Santa Rosa—which does duty as an Ararat There is also a clear myth respecting Noah A Tower of Babel in this land was not wanting. The object was to build to heaven to avoid another flood resulting in a confusion of languages to the builders Woman was made for man when he slept There are traces of the Garden of Eden and a tree in the center thereof The world also at the next time is to be destroyed by fire In the passage of the Mayas to this country many hardships were encountered The sea divided to let them pass on one occasion But notwithstanding these striking coincidences we do not think there is much value to be placed on them historically It is a mistake to suppose that traditions go back always to the beginnings of a race They are frequently superimposed in different stages of their career There is for instance among these Mexican traditions a very unmistakable Christ myth There is nothing to show that it is entitled to less credence than the others The people of England once believed that they were descended from the *Pius Aeneas* Virgil's pet hero They went so far as to invent a Brutus to account for the name Britain It was this guise we have without much doubt the story of the Aeneid percolating from the monasteries through the masses and assuming new forms as it spread In the same way the story of Moses may have been disseminated by the early missionaries in Mexico and that which is now called tradition is only a reflex of their teachings Of much more value is he unmistakable myth of the Androgyne found in all the old mythologies The Palenque tablet is a striking resemblance to Assyrian sculptures recently discovered It portrays the old form of the worship of the active principle in nature But the chances are that we will not have to grope much longer in the dark It may yet turn out as some suppose that America is the old instead of being the new continent

A. P. HOTALING, 481 Jackson st., San Francisco. E. C. LORD, 345 N First st., Portland.

A. P. HOTALING & CO., IMPORTERS OF Fine Wines and Liquors. Sole Agents for the J. H. CUTTER Old BOURBON WHISKY. VAL BLATZ'S MILWAUKIE BEER. Also BOCA BEER.

Last Chance to Purchase at Cost Prices.

From to day to the 24th I offer my stock of JEWELRY Consisting of GOLD AND SILVER WATCHES, GOLD AND SILVER CHAINS, And an assortment of FINE JEWELRY AT COST PRICES. Centl. Stem-Winding Watches at $8. Also a Fine Large Safe, three Show Cases and Fixtures, at less than cost. All goods are First Class and Warranted.

WM. BESCHEINEN, Corner Front and Morrison, opposite the St. Charles Hotel. f283w

EDUCATIONAL.

The Bishop Scott Grammar School J. W. HILL, HEADMASTER, Begins its Easter Term Wednesday, Jan. 28. For particulars apply to J. W. HILL, Portland, Or jl7dtm

ST. HELEN'S HALL PORTLAND, OREGON. A Boarding and Day School for Girls. The Easter Term begins on Wednesday, Jan. 21st. Address BISHOP MORRIS or MISS RODNEY 120dtm

THE PROSPERITY OF THE ANGLO-GERMAN INSTITUTE Has encouraged me to secure, at considerable expense, the services of PROF. J. MURPHY, Strongly recommended by competent judges as an able faithful and painstaking teacher He is an M A of Trinity College Dublin where he graduated with honors The Institution occupies Four Very Pleasant School Rooms, Corner of North Ninth and Stark streets. It will be divided into three departments the *Primary*, *Grammar* and *Academic*, next term, which commences February the 1st MISS ANNIE D GANTENBEIN will give all her time to the Primary Department in German and English PROF MURPHY will take charge of the higher departments in English and Mathematics, whilst the undersigned will devote himself to the advanced German classes For further particulars please apply to REV J GANTENBEIN M D Director, j17 N E corner Fifth and C Sts

STEER'S CELEBRATED STOMACH BITTERS Do you feel that any one of your organs—your stomach liver bowels or nervous system fails in its work If so repair the damage with the most powerful yet harmless of invigorants Remember that infirmity is the beginning of the End—that the climax of all weakness is universal paralysis of the system and that such is always the immediate final result of death For sale by all Druggists and Dealers generally

I WANT WORK! Cabinet and Joiner Work. Furniture Repaired. Free Delivery. D. D. BRIGGS, 125 FIFTH, CORNER WASHINGTON 29

FOR SALE. Tillamook Butter in Kegs. NO. 1 TIMOTHY SEED. BY EVERDING & FARRELL

INSURANCE.

INCORPORATED 1864. Home Mutual Insurance Co. OF CALIFORNIA. FIRE ONLY. Losses Paid Since Organization $1,334,63[illegible] Losses Paid in Oregon in Six Years, - $162,35[illegible] OREGON BRANCH OFFICE, GEO. L. STORY, Manager, Southeast corner First and Stark Sts. Opposite Ladd & Tilton's Bank. PORTLAND OREGON.

THE STATE Investment & Insurance COMPANY, and Western Fire and Marine INSURANCE COMPANY OF CALIFORNIA. DRY GOODS, MILLINERY, ETC.

OPEN LETTER.

ST CHARLES HOTEL, PORTLAND Jan 22. MESSRS COMSTOCK & PFLUGER— Gentlemen After thoroughly examining your stock I have decided to offer you fifty cents on the dollar of the wholesale cost for that portion of your stock appertaining to gentlemen's outfitting Yours, respectfully, D WILSON.

REPLY. PORTLAND Jan. 23, 1880.

MR. D WILSON— *Dear Sir* We cannot accept your offer of 50 cts. on the dollar but will sell all goods appertaining to gents' outfitting, together with what ladies and children's shoes we have on hand, for—then and dollars—equal to about 66 cents on the dollar. Yours, respectfully, COMSTOCK & PFLUGER.

This stock, consisting of nearly $10,000 worth of MEN'S AND BOYS' CLOTHING, FURNISHING GOODS, HATS & CAPS, Boots & Shoes, Together with a fair stock of LADIES & CHILDREN'S SHOES & RUBBERS Was purchased at above rates, and is now offered, FOR CASH ONLY, FOR THIRTY DAYS, At prices ranging from Wholesale Cost down to 50 per cent of Wholesale Cost. A Remarkable Opportunity to Secure BARGAINS, As everything is exactly as represented. Don't mistake the Place: The south half of Comstock & Pfluger's store, Central Block, Second St., Portland, Oregon. Call early. Yours, respectfully, D. WILSON.

FURNITURE, CARPETS, ETC.

SAM LOWENSTEIN, Pres't. WM. KAPUS, Secretary. OREGON FURNITURE MANUFACTURING CO. OFFICE AND WAREROOMS, Corner First and Yamhill Streets, FACTORY, Corner Front and Madison Streets, PORTLAND, OREGON, Manufacturers of FURNITURE And Dealers in CARPETS, Etc. Having the greatest manufacturing facilities in this State this company is enabled to sell at prices much below those of other houses To show the character of its goods and to establish the fact that Oregon enterprise can successfully compete with California and Eastern factories, it is only necessary to state that this company was awarded first-class Medals and Diplomas at the following Exhibitions Oregon State Fair, Salem, 1876. Centennial Exhibition, Philadelphia, 1876 Exposition Universelle, Paris, 1878 Orders from abroad promptly attended to and price lists furnished on application 93 FIRST ST.

J. DILL DuBOIS. W. B. KING. DuBOIS & KING, Wholesale Grocers, Shipping and Commission MERCHANTS, 112 AND 114 FRONT ST., PORTLAND, 416 BATTERY ST., SAN FRANCISCO. Special attention given to the sale of Wool, Grain, Flour and Produce in Portland and San Francisco.

JAS. L. KING, Notary Public. EDWD CHATTIN, Commissioner for Oregon. KING & CHATTIN, (Successors to J J Tufts, deceased) Notaries Public, Commissioner of Deeds For all the States and Territories, CONVEYANCERS, REAL ESTATE AND GENERAL AGENTS, Office—422 California st., San Francisco, California. Particular attention given to the taking of depositions eldswtf

H. T. HUDSON, 33 FIRST STREET, Maker of Seals, Stencils DIES RUBBER STAMPS, Just added, a large stock of GUNS,

INSURANCE. INCORPORATED 1864. Home Mutual Insurance Co. OF CALIFORNIA. FIRE ONLY. Losses Paid Since Organization $1,334,63[illegible] Losses Paid in Oregon in Six Years, - $162,35[illegible] OREGON BRANCH OFFICE, GEO. L. STORY, Manager, Southeast corner First and Stark Sts. Opposite Ladd & Tilton's Bank. PORTLAND OREGON.

THE STATE Investment & Insurance COMPANY, and Western Fire and Marine INSURANCE COMPANY OF CALIFORNIA. Deposit in Oregon $100,000

A. P. HOTALING & CO. GENERAL AGENTS, Office Removed to 2 and 4 North First St. PORTLAND, OR. 22 HENRY DOBBSEN, Manager.

Fire Insurance Agency. Imperial, London, Northern, and Queen Insurance Companies London and Liverpool. Deposit in Oregon $200,000 Cash Assets Exceed Thirty-Eight Millions of Dollars. Losses Adjusted and Paid at Portland Without Reference to Foreign Offices. Thousand Dollars 1,000,000 JOINT POLICY issued by the above companies Office 20 and 21 Front St., Portland, Or. CORBETT & MACKAY, General Agents. EDWARD HALL, Manager.

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OREGON BRANCH (ALSO WASHINGTON TERRITORY) NEW ZEALAND Insurance Co. FIRE AND MARINE. Capital $5,000,000 WITH Unlimited Liability of Stockholders. W. F. BROWN, Manager.

UNION Insurance Company FIRE AND MARINE. The Office of the Oregon Branch of this Company has been Removed to No. 208 First Street, near Stark. W. S. CALDWELL, Agent. June 5, 1879.

DOORS, Windows and Blinds, PAINTS, Oils and Glass. BRUSHES, VARNISHES, GLUES, C. T. RAYNOLDS & CO'S COLORS, ETC., ETC. COGGINS & BEACH 103 FRONT STREET, PORTLAND. General agency of the AVERILL Paint, the oldest and best.

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NEWSPAPER ARCHIVE®
NEWSPAPER ARCHIVE®

The Daily Oregonian.

TUESDAY MORNING, FEB. 10 1880.

GEN. HOOD'S MEMOIRS.

Advance sheets of the memoirs prepared by the late General J B. Hood, to be published for the Hood memorial fund, have appeared. The volume will soon be ready for the market. Aside from the interest connected with the circumstances under which it appears,—as the proceeds are to be devoted to the support and education of Gen. Hood's ten little children, who lost both father and mother about the same time last summer,—the book will undoubtedly attract the attention of military critics and historical writers. A letter from Gen. Beauregard accompanies the advance sheets, requesting fair review of their contents. The writer begins his memoirs with his appointment as cadet at West Point, where he graduated in 1853, in the class of Sheridan, McPherson and Schofield. There follows a rapid account of his service in the army up to the outbreak of the rebellion. Having been brought up in the state sovereignty school of politics, he deemed it right that he should "go with his state." Kentucky being the state of his nativity, he tendered his services for her defense. But after meeting the authorities of that commonwealth he became convinced that "no decided action would be taken,"—that is, that Kentucky would not secede; so with an inconsistency common to the secessionists of the border states, who declared that their first allegiance was due to their respective states, but, who, when their states refused to secede, nevertheless threw their fortunes in with the southern confederacy, Gen. Hood resigned to Montgomery and tendered his services to the confederate government. He was sent to Virginia where he was soon given an important command. From this point the narrative proceeds with an account of personal experiences till the close of the war. The most interesting chapters are those in which he defends himself against the charge of rashness as a commander, and criticises the so-called Fabian policy of Gen. Johnston, whose he superseded in command of the armies opposed to Sherman in Georgia. He says that since he has been charged with rashness, and even recklessness by Gen. Johnston and the adherents, he must be allowed to question Johnston's right to be considered one of the leading southern generals of the war. Johnston fought not a single general battle during the entire war, what just defeat, Gen. Hood asks, has he to generalship? No man is justly entitled to be considered a great general, unless he has won his spurs. Gen. Johnston, says Gen. Hood, possessed the requisite spirit and boldness to seize favorable occasions for victory which were lost, he never would have allowed Sherman to push him back one hundred miles in sixty-six days, from one mountain stronghold to another, down into the heart of the confederacy. When Hood succeeded and given the command, the defensive positions had been lost and his fighting against Sherman was therefore of no avail. Hood freely criticises the management of the authorities at Richmond, as well as the timid policy of Gen. Johnston who unwisely urged a movement north of the Tennessee in 1864, and in his letters to the Davis government at Richmond insisted that an army corps go with the sixty or seventy thousand men at command in that part of the confederacy would "defeat or destroy all the armies south of the Ohio river." This assertion was a great mistake, but it is certain that Hood's vigorous fighting would have been affect had it been undertaken at an earlier day.

PACIFIC COAST BUREAU OF AGRICULTURE.

A bill introduced in the House of Representative Davis of California, referred to congress a resolution directing the house committee of agriculture to take into the most feasible method of establishment, for the benefit of the agricultural bureau, of a department to those parts of the country west of the one hundredth meridian, to be under the supervision of the secretary of agriculture, to be presided herein in the department designated by the bureau above named, and having a portion of the annual agricultural reports, information furnished by this bureau, and that the committee of agriculture be instructed to represent to the house the result of their inquiry. The resolution was adopted, and the proposed inquiry will be set on foot by the committee. On this subject the Pacific Rural Press properly remarks that "Practically, a duty pertaining to the agricultural department, to report the facts of the soil and climate of production on the Pacific coast, lies in the distance because of the want of a department and our needs. It is not necessary to say that a proper system of reports would be arranged, transmitted and published in due time, and the result is that the wealth of our coast and the generality of the subjects are necessarily drawn from insufficient data, or, by the time the work is done, are too old to be of much use. But if there were a local bureau or bureaus established on this coast, with the management were given to a man who knew our geography, our seasons, our soils, our climate, our styles of agricultural production, and who adds to this the energy and executive ability to organize a system of reports concerning our productions and our needs which would constitute a valuable body of information for our agricultural and commercial classes, and especially for those who may be seeking places for settlement on the Pacific slope. It is well remarked that no man whose agricultural observation and experience have been wholly gained in eastern fields can possibly understand our peculiar conditions on this coast and the changed methods which they necessitate. Hence the need of this branch bureau,—if the Pacific coast is to have any benefit from the service of the national department of agriculture.

A GREAT STATE.

Texas is almost the only one of the southern states which is having any real growth in material improvement, population and wealth. Probably its growth is exaggerated by statements of the local press; but, after allowing much for such probable exaggeration, it still remains a fact that great improvement is taking place throughout the state. How is this astonishing when the area and resources of Texas are considered. Texas is larger than the whole Austrian empire, with its thirty-five millions of people. United Germany, with its still large population, falls short of reaching the area of Texas by enough to constitute the great state of Missouri. Of course other European states would look small in extent when projected on the background of Texas. The Galveston *News*, which recently published a large number full of statistics and glowing with an account of the attractions of the lone star state, undertook a comparison of Texas with the great countries of Europe, and claimed that in extent and variety of resources and amount of arable land Texas makes an exhibit which justifies the expectation that the time will come when thirty millions of people will dwell within her borders. Some almost startling facts are presented in this exhibit. Last year Texas produced 550 000 bales of cotton, nearly one-fifth of the total product of the country; and the claim is made that one-fourteenth part of her cotton land, which will grow one bale an acre, will suffice to furnish all the cotton which the world now supplies. This is only one feature of its prodigious capabilities. The stock interests of the state are developing on a like imperial scale. In sheep the state now stands third in the union, and this year expects to advance to the first place, with a product of twenty-three million pounds of wool. For growth of grain its capacity is on the same scale with its other resources. The state, it is asserted, now contains a population of two millions, but this probably is too high an estimate. It has as yet only 1700 miles of railroad,—no great extent of railway lines for so large a state; but new railroads are building rapidly in almost every direction. The school fund is claimed to be the largest of any state, being based on state lands which it is estimated would now show an aggregate value of fifty seven million dollars.

MASONRY ON THE NILE.

Reports received recently by telegraph concerning the alleged discovery of Masonic emblems beneath the pedestal of the obelisk now being transferred from Egypt to New York but faintly indicated the interest taken in a discovery which it is claimed supplies the evidence needed to establish a most important link in the chain of Masonic history. The claim is that from these discoveries it is ascertained that Masonry originated with the construction of the pyramids, which of course throws it back into a remote antiquity, more remote, indeed, than has been currently claimed by its most enthusiastic adherents. The enthusiasm of some goes so far as to give rise to expression of the confident opinion that this discovery will lead to a solution of the mystery of the construction of the pyramids. But among journals which have been taking an intelligent and very lively interest in the matter is the New York *World*, and it counsels its readers against a too ready acceptance of the theories put forth by the enthusiasts. It is, indeed, much more probable that certain rites and forms of masonry are derived from ancient legends and ceremonies of Egypt, than that anything now distinctively known as masonic rites and ceremonies existed in their present form in that twilight of time. It is true that among the most persistent and enduring things among men are survivals of old forms of culture; and yet they are often among the hardest things to trace through the ages and identify with the appearances they present in our own times.

Washburne is the favorite candidate for the presidency of a large class of republicans who are most outspoken against Grant. Possibly, however, it may diminish their regard for Washburne to learn that he himself is a warm supporter of Grant. All the western papers have specials from New York, dated 28th and 29th January, announcing that Washburne, who had been two days in New York and was on his way to Boston, was an outspoken Grant man, and that he feels so sure Grant will be tendered and will accept the nomination that any talk of possibilities and contingencies respecting himself does not concern him in the least. It may be supposed, however, that all this indicates simply that Washburne will not oppose Grant or be a candidate against him. It would not, indeed, be expected that he would place himself in that position. He has always been a close friend and supporter of Grant, and Grant has reciprocated. Now that Grant is seen a proposed for the presidency, Washburne will not allow it's own name to come up against him; but when "the Grant boom" has spent its force, Washburne will be in a different position. It may be predicted that when the time comes he will be ready to "accept the call" of his countrymen.

A special from Washington to the Chicago *Tribune* says that the proposition to extend the line of the Northern Pacific land grant is coming up again, that it is believed by a large part of congress to be a meritorious measure, and that if it stood by itself it would pass. But there is reason to believe that the friends of the Texas Pacific scheme are lying in force to prevent the passage of the Northern Pacific, unless the other is agreed to also. It is, indeed, already known that the Texas Pacific lobby are working to get a log-rolling combination, to include both measures or allow neither to pass. But it is not likely that the friends of the Northern Pacific will enter into this scheme. That company can still hold their land grant and make it available, though doubtless it would be an advantage to obtain a definite extension, so that capitalists might have more positive notice as to the status of the grant.

We have received a note from Mr. William Reid, containing a positive denial of the statement that he was at Salem, in 1878, opposing the bill under which, if passed, there would have been no doubt of the liability of foreign corporations doing business in the state to pay their just proportion of taxes. Mr. Reid shall have the benefit of this denial, although our information was such that we could not help drawing the conclusion stated. But there is no occasion for controversy over these small points of dispute. The whole subject is summed in proper statement of the necessity of making such changes in the laws and in the manner of enforcing them is will make all properly equally subject to taxes, at fair valuation.

Senator Dan Voorhees of Indiana continues to press his investigation of the cause of the negro exodus from North Carolina to his state. He is the most senseless and fit man for that kind of thing, and for testimony he gets whole floods of twaddle and hogwash. It doesn't appear that there was any reason for the exodus, except that the exodists wanted to change their place of residence,—a thing which multitudes of other people are doing constantly. Even Voorhees himself began life in Ohio, emigrated to Minnesota, and finally brought up in Indiana. Why not investigate the several "exoduses" he has made?

A detailed statement published in the Chicago *Inter-Ocean* shows that no less than 3,087 American vessels are afloat on the great lakes. What will strike the reader as very remarkable is the statement that the tonnage arriving and clearing at Chicago during the season of lake navigation—May 1 to November 30—is equal to the whole tonnage arriving and clearing at the three great ports of Boston, Philadelphia and Baltimore, and nearly equal to that arriving and clearing at New York.

Governor Pitkin, of Colorado, is skeptical of the aboriginal virtue of the noble red man. Ute Jack, and thinks he has pulled the wool over the eyes of the trusting head of the interior department, who will hear no more of him or the guilty Utes he is to bring in after he once gets free of white jurisdiction on the Colorado plains. The governor has pretty clear views of unfitness. Indian human nature.

President Billings, of the Northern Pacific railroad, has directed Joseph T. Dodge, civil engineer, to make immediately a reconnoissance of the Yellowstone valley, preparatory to an early survey for extension of the road several hundred miles up the Yellowstone. Mr. Dodge left St. Paul on this mission on the 28th January.

DIED.

At her residence, in this city, No 7 South Fourth street, February 9 Mrs. Catharine Harbaugh, the beloved wife of F Harbaugh.
Notice of funeral will be given hereafter

NEW TO-DAY.

Court Et Hood, 6460 A. O. F., meets Monday evenings at their hall. Visiting brothers invited.

FURNISHED ROOMS WITH UNFURNISHED parlor, with or without board. 124 Seventh street.

SITUATION WANTED BY A FIRST-CLASS cook washer and ironer in a private family. Please call at 110 Alder street. 1t

WANTED IMMEDIATELY, 2 GOOD FARM HANDS. ONE TO DRIVE 2 Oxen. Wages $25 per month; apply to MRS. COKER, 176 Morrison St opp. School. 1t

RESTAURANT FOR SALE CHEAP ON ACCOUNT OF DEPARTURE. Price $250; address A. B. C. this office. f10d6t

WANTED. A GERMAN GIRL TO DO HOUSEWORK AND attend to Children in small family. 408 First street. f10d2t

A SINGLE GENTLEMAN DESIRES ROOM and board in a private family. Address, stating terms which must be moderate, J. B., Oregonian office. f10d2t

Save YOUR MONEY BY BUYING YOUR DRY and Furnishing Goods while the Clearance Sale continues at OLDS & KING'S, 147 First st.

WANTED—SALESMEN TO TAKE GENERAL State Agencies. Salary and expenses paid. References required. TRIUMPH MF'G CO, 116 Monroe st, Chicago. j26d6t7us

General German Aid Society.—Special meeting this evening, (Tuesday) February 10th, 1880 at 7:30 o'clock P. M. This meeting is called to hear report of committee on change of Constitution and by-laws. All members requested to attend GEO. HAROLD, Sec'y.

Emmet Guards.—Members will please meet at their Armor this (Tuesday) evening at 7 o'clock sharp, to escort the Father Mathew T. A. B Society to the Turn Halle. J. J. DORNEY, Captain. JOS. BURKE, Sergt.

WANTED, BY RUMMELLIN & GUTTMAN, Manufacturers and shippers, 182 First st., bet Stark and Oak, Portland, Oregon All kinds of Raw Furs at Highest Market Prices. feb10d4m2p

DELINQUENT ROAD TAXES. THE LIST OF ROAD TAXES UNPAID IN Districts No. one and two, Multnomah county, for year 1879, can be found at the office of Parrish & Cornell. An additional cost can be saved by paying the same within thirty days from date. DENNIS KELLY, Supervisor List No 1. P. GAULT, Supervisor Dist. No. 2. Portland, Oregon, Feb. 10th, 1880. f10d5

J. CARROLL. C. B. HUBBELL.

DEXTER STABLE, COR. SECOND AND WASHINGTON STS.

LIVERY, FEED AND SALE STABLES. RATES reasonable. Also office of the Pacific Transfer Company, where orders can be left for delivery of baggage to any part of the city and to and from railroad, river boats and Ocean steamers. Telephone connection at the office. CARROLL & HUBBELL, Prop's.

A QUESTION EASILY ANSWERED.

Where shall we get the best value for our money? We are confident in asserting that a visit to the

Dry Goods Store OF MRS. H. ACH, 231 First-street, bet. Salmon and Main,

Will be found sufficient to satisfy the most fastidious, as she is offering her entire stock at such prices as will convince the public that she means business. Call and see for yourself.

No 231 FIRST ST., Between Salmon and Main.

FASKS, BASKS! Wire, Paper, Waxed, Satin and Comic, Of all descriptions.

VALENTINES! COMIC, SENTIMENTAL, "HIT 'EM HARDS." Wholesale and Retail.

WM. BECK & SON, CORNER FRONT AND ALDER STREETS.

TO CONTRACTORS & BUILDERS.

We offer ATLANTIC WHITE LEAD. PIONEER WHITE LEAD. GENUINE COLORS IN OIL. BRUSHES OF STANDARD BRAND. VALENTINE'S VARNISHES. NOBLE & HOARE'S VARNISHES. CHEAPER VARNISHES. And all other articles of Paint stock at prices that cannot be beaten. Having an immense stock, bought in anticipation of the advance, we are prepared to offer superior inducements to prompt customers.

IN WINDOW GLASS we have all sizes and qualities, or will fill orders and give estimates at any time.

No one need go beyond us for anything in the above lines on account of either quality or price. f6d1m HODGE, DAVIS & CO.

THE COASTING STEAMER Alexander Duncan JAMES CARROLL.....Commander Will leave Pacific Dock for TILLAMOOK AND YAQUINA, ON SATURDAY, FEB. 14th, AND For Shoalwater Bay, Gray's Harbor, Port Townsend, Seattle, Victoria and Nanaimo, ON SATURDAY, FEB. 28th.

F. M. BARTHOLOW, Gen'l Agent. C. J. CLOUD, Portland Agent. Office on Pacific Dock foot of Salmon St. f10

Flour Mills and Farm Lands for Sale at a Bargain for Thirty Days.

THE UNDERSIGNED, WITH A VIEW OF DISsolving their present business connection, offer for sale both of their Three-Run Flour Mills and 160 acres of Land. The Mill at Turner Station is on the switch of the O. & C. Railroad, in Marion county, contains three run of stone, with Hurst rollers in set, designed for fall run, and is the neatest and best arranged mill in the State. The Aumsville Mill is four miles from Turner, on the proposed line of O. C. S. P. Road in a good locality for getting wheat, has three run of stone and necessary machinery, and the best frame of a mill house in the state, with 13 acres of land, dwelling house, barn &c. Both mills on Mill creek with abundance of water all the time. The land is situated close to Aumsville with dwelling houses &c. One hundred acres under cultivation. Mill creek runs through part of it making it a desirable place for dairying as well as agriculture. Two whole or any one parcel sold separate or together, and if not sold before the 17th day of March, will be offered at public auction at 11 a. m. on that day at Turner. So remember the 17th day of March if you want the best and cheapest mills in the State. And if said property shall be sold prior to the day named, due notice will be given. Any particulars can be had by addressing M. COCKRELIN & CO., Turner. f10d3w1m

S. C. SKIDMORE & CO. DRUGGISTS 151 First St., Portland, Oregon, Sole Agents for Oregon for DR. SYKES' SURE CURE for CATARRH. DR. SYKES' New England Liver Tonic. DR. SYKES' Atmospheric Insufflaters.

DIVIDEND NOTICE. The Home Mutual Insurance Company OF CALIFORNIA.

WILL PAY ITS REGULAR MONTHLY DIVIdend of one per cent. upon its capital stock to the Oregon Stockholders, on and after February 10th, at the office of its Agency, Southeast corner of Stark and First streets, Portland. f6d1mod GEO. L. STORY, Manager.

NEW TO-DAY.

NEW MARKET THEATER. JOHN MAGUIRE.....MANAGER

Last Night but Three of the Popular Actor C. D. CHAPLIN, Who will appear THIS EVENING, TUESDAY, FEB. 10th, In Sheridan Knowles' beautiful 5-act play. THE HUNCHBACK! JULIA.....MISS JOSIE CAMERON Her first appearance in this city. WEDNESDAY EVENING, FEB. 11th, MONTE CRISTO!

Seats can be secured at Blumauer's New Drug Store, corner First and Stark streets

GRAND CONCERT For the Benefit of the Masonic Board of Relief, AT TURN HALLE, FRIDAY EVENING, FEB. 13, 1880.

PROGRAMME: PART FIRST.

1 Male Quartette, serenade.....Kreutzer. Messrs. REES, WYATT, KINROSS, and LOWNSDALE.
2 Song, "I cannot sing the old songs." Claribel Mrs. J. B. WYATT.
3 Reading, "The Hero Boy." Carrie Carlton Mrs. C. A. DOLPH.
4 Aria. "On rosy wings."....Verdi Mrs. J. M. TEN BOSCH.
5 Aria. "Vieni la mia vendetta." Donizetti W. H. KINROSS.
6 Aria. "Tacea la Notte."....Verdi Miss BELLE DeBOIS.
7 Double Quartette, (male), March.....Booker Messrs. REES, WETHINGTON, WYATT, WARREN, GILL, KINROSS, LOWNSDALE and SCHUYLER.

INTERMISSION. PART SECOND.

1. Song. Mrs. D. GOODSELL.
2. Song. "When the flowing tide sets in."....Willard Mrs. J. A. CRUZAN.
3. Recitation. Miss TUTHILL.
4. Song. "Love's greeting."....Fairlamb Mrs. J. M. TEN BOSCH.
5. Song. "Let me love thee."....Arditi M. O. LOWNSDALE.
6. Reading. From the "Siege of Valencia." Mrs. Hemans Mrs. C. A. DOLPH.
7. a Recitation. "Care Campagne." b Aria. "Come per me sereno."....Bellini Miss BELLE DeBOIS.
8. Quartette. "Bella Figlea."....Verdi Mrs. J. A. CRUZAN, Mrs. J. B. WYATT, W. H. REES and W. H. KINROSS.

Tickets.....$1.00 Reserved Seats.....25c extra To be had at D. W. Prentice & Co's.

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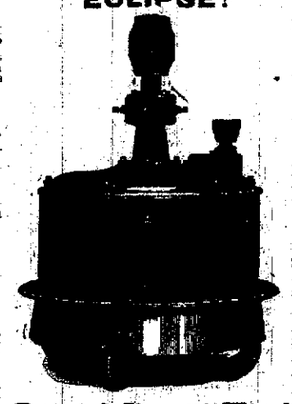

Best and Cheapest Wheel made. ALLIS & BLACK, Agents, No. 4 North Front st. Flour & Saw-Mill Machinery a specialty. Send for price list and illustrated catalogue.

ELECTRIC LIGHT COAL OIL! Guaranteed Superior to Any Other in the Market.

HIGH TEST, PERFECTLY SAFE, AND FULL WEIGHT, 25 lbs to the can.

For sale in lots to suit at less price than any other Oil of equal quality. j22d6mod HODGE, DAVIS & CO.

AMUSEMENTS.

EIGHTH ANNUAL GRAND MASQUERADE OF THE Portland Turn Verein! AT TURN HALLE, MONDAY, FEB. 16.

PRIZES.

Two First Prizes for best sustained Gents and Ladies' Characters. Two Second Prizes for Finest Gents and Ladies' Masks. Prizes are on exhibition in Henrichsen & Greenberg's show window.

Price of Admission for Gents, Masked .....$1 50 Spectators.....$1 00 Ladies, do .....1 00 Member, masked...Free Tickets for Masks and Reserved seats will only be sold at Alsky & Hegele's No extra charge for reserved seats. Doors will be opened at 7½ o'clock. Grand March of Masks promptly at 9 o'clock. All Masks must identify themselves to the Committee. Doubtful characters not admitted. Unmasking at 11½ Only Maskers will be allowed on the floor until after unmasking.

A FINE SUPPER Will be served in the hall at 12 o'clock.

BRASS AND STRING BAND. A Full Brass Band will play for the Maskers till 12 o'clock; after that time the music will be by a Full String Band. There will be no Masken Kranchen this year. j26d7t f9add COMMITTEE.

Silver-Plated Ware. Complete New Stock AT GARDINER & DORRANCE'S, Up Stairs, Holmes' Building.

Nickel Stem-Wind Watches WITH Illuminated Dials, AT GARDINER & DORRANCE'S, Up Stairs, Holmes' Building. f6d1

AT COST! AT COST!

The Annual Clearance Sale of our Entire Stock of DRY AND FURNISHING GOODS AT COST

Is now under way, and the large number of buyers who have visited our store during the past week is conclusive evidence that the people know when A GENUINE SALE Of this kind is being held.

WE ARE IN EARNEST, For room must be made for our spring importations. RALLY! RALLY! And make your purchases NOW, while you can get goods at cost.

OLDS & KING, 147 Third St., Portland.

DRY GOODS CLOTHING.

STOP THERE! We Have Sold Our Our Store and Fixtures and give possession in 20 days. THEREFORE We propose to run off all our stock of J. D. CUTTER & CO'S ELEGANT GROS GRAIN SILKS, The only genuine Silk in this market,—every yard guaranteed not to cut or wear "shiney." STAPLE & FANCY DRY GOODS, Of which the stock is Fresh and Full. DRESS TRIMMINGS AND DRESS GOODS. $100 CLOAKS and DOLMANS, All New and Fashionable, $10,000 Worth of HOUSE-FURNISHING GOODS. 500 Umbrellas From 75c each to the Finest Silk. Real Valenciennes Laces AND Real Point Applique Laces. GENTLEMEN! The BARGAINS are not all for the Ladies. We have a full line of GENTS' FURNISHING GOODS To Slaughter. Flannels & Blankets By the Pound at Price of Wool.

The above are only a few of the leading articles. We have a full assortment of all goods usually kept in a Dry Goods Store:

Fifty-five Thousand Dollars' Worth altogether, of which we are bound to sell all we can before taking stock to turn the balance over to our successors. This is no humbug, but a genuine sale at any reasonable price.

The best opportunity for real honest bargains ever offered in Portland.

REMEMBER! These Goods were bought for Cash, and are not sold cheap because they are "old stock," but because we desire to reduce the stock as much as possible before the transfer is made.

Cor. First & Washington Sts.

THE CITY BOOK STORE, No. 121 First St., near Yamhill, OFFERS A COMPLETE RETAIL STOCK OF BOOKS, STATIONERY, PERIODICALS, Etc., at LOWEST PRICES. j19

DRY GOODS, MILLINERY, ETC

GREAT CLEARANCE SALE OF DRY GOODS!

In order to make room for our Spring importations, now en route from New York, we will, For the Next Two Weeks, OFFER Unusual Inducements TO PURCHASERS OF DRY GOODS!

BLACK CASHMERES 40c per yard..... reduced from 50c 50c per yard..... reduced from 65c 75c per yard..... reduced from $1 00 $1 00 per yard..... reduced from $1 25

BLACK SILKS Reduced from 40 to 50 per cent.

Silk-Fixed Striped Armures At 25c—reduced from 50c.

Double-Fold Poplin Lustres At 25c—reduced from 50.

Waterproofs at Cost! 60c to $1 per yard.

All Styles of Dress Goods at Reduced Rates.

Scarlet Flannel.....25c per yard Cashmere Flannel.....reduced from 60 to 40c Table Damask, all linen.....37½c per yard Table Damask, all linen, 3 yds wide.....$1 per yard Large Size Bedspreads.....75c each Ladies' Felt Skirts.....60c each Model Shape Corsets.....25c each Thompson's Glove Fitting Corsets.....50c Fine French Corsets.....$1—worth $2 2 Button French Kid Gloves.....50c—worth $1 50 4 Button French Kid Gloves.....75c—worth 1 75 Ladies' Silk Scarfs.....25c—worth 75

The Largest Stock of HAMBURG EDGING in the city at Half Price.

REMNANTS! REMNANTS! REMNANTS!

Remnants of Flannel, Remnants of Table Linen, Remnants of Crash, Remnants of Sheeting, Remnants of Gingham, Remnants of Waterproof, Remnants of Dress Goods, Remnants of Black Cashmeres, Remnants of Colored Cashmeres, Remnants of White Goods, Remnants of Black Silks—

Marked Down to Half the Original Prices.

J. F. D. Wrinkle & Co., 321 FIRST ST., COR. SALMON.

GREAT SALE! THE ASSIGNEE FOR COMSTOCK & PFLUGER, In order to pay the indebtedness of said firm, will sell The Entire Stock for the Next Thirty Days at 20 per ct. Less than Cost

All those who have the CASH to pay for goods can find BETTER BARGAINS IN DRY GOODS AT Comstock & Pfluger's

Than have been offered before for Years in this city.

N.B.—Remember all goods must be closed out in thirty days from this date.

THE MI. DLE STORE, In Centennial Block, 169 and 171 Second St., bet. Morrison and Yamhill. 27-6t

NATIVEL PAT'NT CHIMNEY Is Safer, and has a Better Draft than any brick chimney, easily put up, and PERFECTLY FIRE PROOF. BAYER & STAUCH, METAL ROOFERS, Sole owners for State of Oregon, 223 Second St. fd1m

AUCTION AND COMMISSION.

S. L. S. GILMAN. M. CROCKER GILMAN & CO., Auctioneers and Commission MERCHANTS, No. 42 First Street, bet. Pine and Ash. Auction Sales of Real Estate, Furniture, General Merchandise, Horses, Cattle, Buggies, &c. Regular Sale Days—TUESDAYS and FRIDAYS, at 10 o'clock A. M.

Regular Auction Sale OF Household Furniture, Carpets and Merchandise We will sell at our Auction Salesroom, TUESDAY, FEB. 10, 1880, Commencing at 10 A. M.,

CARPETS: 90 yds. Body Brussels Carpet. 100 yds. Tapestry Brussels Carpet. 200 yds. 2 Ply Carpet. ALSO, Household Furniture of all Descriptions, Comprising in part— 1 Parlor Suit, 7 pieces. 2 Walnut Bedroom Suits. 2 Ash Bedroom Suits. Lounges, Sideboards and Pictures. ALSO, MERCHANDISE: 25 cases Coal Oil. 50 box Candles. 50 box Raisins. 50 bags Beans. GILMAN & CO., Auctioneers.

AUCTION SALE.

THE UNDERSIGNED HAVE RECEIVED INstructions from the mortgagees, J. H. Turner and Richard Carr, Esqs., to sell by public auction, at their salesrooms,

YATES ST., VICTORIA, B. C., On Monday, Feb. 16 1880, At 11 o'clock, A. M.,

The Inverness Cannery, Situate on Skeena River, and known as the NORTH-WESTERN COMMERCIAL COMPANY.

The REAL ESTATE comprises One Hundred and Twenty Acres (more or less), and numbered section One (1), Block One (1), on the official survey or plan of the Coast District, with

Boats, Nets, Tools, Chattels, Buildings And in fact, Everything that is Necessary for the Working of a First-Class Cannery.

The Inventory of Plant, &c., may be seen at the office of W. S. CLARKE & CO., Auctioneers. j21d4t

AUCTION AND COMMISSION.

OSCAR HIRSCH AUCTIONEER, 62 First St., next cor. Pine, will Purchase and Sell at Auction or Real Estate, Merchandise, Furniture, Horses, Buggies &c., In the City or Country.

AUCTION AND COMMISSION.

NATHAN & DUTCH (Successors to Oscar Hirsch) Auction and Commission MERCHANTS, Corner First and Pine sts.

REGULAR SALE DAYS WEDNESDAYS AND SATURDAYS.

WILL PURCHASE AND SELL Real Estate, Merchandise and Furniture. Buggies, Wagons, Harness and Horses.

WANTS.

WANTED. 8 OR 10 GOOD MEN TO WORK in mine, drifting and other work. Must understand the business well. For particulars apply at my office No. 7 near Oak. J. R. WILDE.

SITUATION WANTED AS CLERK IN A HARDWARE STORE by a man who has had experience and can give good references. Address C., Oregonian office.

WANTED—A SITUATION BY A YOUNG MAN as Dry Goods Salesman by one of good address and excellent stock keeper, in the country; best references given. Address, per week, "H," this office.

INFORMATION WANTED OF ANY PERSON KNOWING THE WHEREabouts of James Luurell, who was last heard from about the last of August, 1879, and if in this favor by immediately notifying the undersigned, and if this notice should meet his eye, great interest to him to call immediately on Lappens, Chief of Police. Portland, Feb. 9 1880.

TO LET.

FISH HOUSE TO LET. A HOUSE WITH 9 ROOMS, on the corner of Morrison and Pacific streets. Inquire of 126dtf P. W. GILLETTE.

FOR RENT. FURNISHED ROOMS WITH OR without board, suitable for housekeeping. Also rooms for single gentlemen at 84 Second street, corner of Beverly.

FOR RENT—FURNISHED SUITE DESIRABLE FOR one or two gentlemen, with board if desired; also convenient for two gentlemen, with board, in a room with use of bath, hot and cold water. Fourth street, between Alder and Morrison, near Eighth.

FOR RENT—FURNISHED ROOMS WITH board, in a newly furnished house on Fourth street, between Alder and Morrison, near Eighth.

FOR RENT—FURNISHED ROOMS WITH OR without board, suitable for housekeeping. Also newly furnished room for single gentleman at 84 Second street, corner of Beverly.

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The Daily Oregonian.

TUESDAY MORNING FEB 10 1880

WEATHER PROBABILITIES.

WASHINGTON Feb 10—1 30 A M For Pacific coast partly cloudy light rains

CITY.

AN INSANE WANDERER.—Shortly after daylight yesterday morning a woman covered with mud and carrying in her arms an infant aged 10 months was found wandering aimlessly around the boulevard at about three miles above town The child was nearly chilled to death and its mother almost worn out with hunger and fatigue The strangeness of her conduct led the people of the neighborhood to think her insane She was furnished with food and shelter until the arrival of a policeman who escorted her charges to the city jail There can be no doubt of the poor woman's insanity She gives her name as Samantha Johns aged 33 years and hails from Liberty Ohio She arrived on the steamer Sunday afternoon in search of her husband James Johns a laborer employed on the Columbia river and engaged rooms at the Richmond House but left there at a very early hour yesterday morning and had traveled through the timber for several hours when discovered A little money some jewelry and a gold watch were found in her possession Mrs Johnson is a woman of medium height spare built and was clothed in a black serge dress black jacket straw hat of the same color and rubber overshoes Her husband or any other person who may know the woman is requested to call at the station and identify her She will be probably sent to the asylum until claimed by her friends A man named Carothis was her traveling companion from the states to this city

POSTOFFICE IMPROVEMENTS Carpenters have been engaged for several days in making some long needed alterations and improvements to the interior of the postoffice The partition which separated the western or back entrance into two smaller ones has been torn down The shelves divided into pigeon holes that have long been ranged along the wall, and used in the general distribution of mail matter to be sent from that office have also been removed In the center of the room is to be placed a circular table around the outer edge of which hooks will be placed so that thirty-two mail sacks can be hung A space will be left in the center of the table large enough for a man to stand The mail to be distributed will be emptied on the table and the clerk, standing in the middle, can easily reach the papers in any direction and toss them into the proper sack This arrangement will greatly increase the rapid handling of the mails, and there will be less liability for papers to go astray than formerly In a few days the table will be ready for use Some desirable changes are also being made in the money order department

BUILDERS' PROTECTIVE UNION—A spokesman for the temporary says A few weeks since the number of men formed a protective association, and last Saturday a call was issued to manufacturers and dealers in builders' material to meet at the business establishment of Messrs. Goggins & Beach in the evening At the hour appointed that particular avenue of trade was represented by the leading dealers of the city Mr. George Ainsley was elected president and Clifford Coggins secretary The object of the meeting was stated to be the formation of a "manufacturers' and dealers' protective association. After considerable discussion it was unanimously agreed that no contract would be furnished material except for cash or upon an order being presented from the owner of the property This prevents the dealers and at the same time is received with gladness by the substantial contractor, as he is thereby protected from the inroads of irresponsible parties.

DEATH OF CAPTAIN HARRIMAN.—Letters received in this city convey intelligence of the death in Belfast, Maine, on the 19th of January last, of Capt. H. D. Harriman of the American bark *Wildwood*. Capt Harriman had many acquaintances and warm friends in Portland, where his ship remained for a year, from June, 1878, to June 1879 They will regret to learn that to the pride of life he has been called away. His last voyage in command was that from this port, which began in June last year and terminated at Liverpool in November. Being in ill health on his arrival in England, he left his ship and returned to his home in Belfast. Though so long sick he was confined to his bed only five days before his death He was 44 years of age and leaves a wife, but no children Wherever known Capt. Harriman was highly respected.

MEETING CREDITORS.—A meeting of the creditors of Louis Salomon a prominent merchant of Junction City, Lane county who is financially embarrassed, was held in this city Saturday. His liabilities are $35,000 or $60,000, of which about $16,000 is due to Portland jobbing houses, and between $10, 000 and $15,000 to San Francisco. A proposition was made by the creditors to have Mr Salomon go make an assignment, they to appoint a receiver and when 60 per cent of the indebtedness shall have been paid, that the remainder of the assets be turned over to Salomon, the creditors taking his notes at one year for the amount. This proposition was declined by Salomon, who stated that if leniency were granted him, he could easily pay his indebtedness and have from $15,000 to $20,000. The case now is in *statu quo*

PORTLAND-VANCOUVER BRIDGE.—Under the direction of the contractors work on the long bridge on the Portland and Vancouver road is being pushed forward as vigorously as possible. Sunday morning Lee steamer Fawn went down to Gallipar after a load of lumber to be used in the work Captain Foster delivers all the lumber and timbers from St Helens and Rainier, free of charge About twenty men are engaged on the bridge which will be completed and ready for use in a short time. This will be one of the most fashionable drives from this city during the summer season

DEATH OF MRS HARBAUGH.—The many friends of Mrs Harbaugh the beloved wife of Mr. F. Harbaugh, will be pained to hear of the death of that very estimable lady She died at her home in this city yesterday Mrs. Harbaugh came to Portland many years ago with her husband and has resided here almost constantly The deceased was a loving mother and a kind and devoted wife Her death will be sincerely regretted by a large circle of friends

NEW DOCK.—Work on the new dock and warehouse, which is being erected on the city front between Taylor and Salmon and running the Pacific wharf is being crowded forward as rapidly as possible. A large force of carpenters is employed and from present appearances the dock will soon be in a condition to receive grain When completed it will be one of the most substantial wharf improvements in the city

THE ALEX DUNCAN.—The coasting steamer *Alex. Duncan* arrived at 1 o'clock yesterday afternoon and landed at Pacific dock. She left San Francisco on the 4 built, and stopped at Crescent City, Coos Bay Yaquina Bay and Umpqua. She took 17 passengers from San Francisco for way points and brought up 300 tons of freight The steamer will leave for Tillamook and Yaquina Bay next Saturday

GOOD TIME.—The steamship *State of California*, on her last trip accomplished he passage from Astoria to Portland in 6 hours and 10 minutes The best time ever made by this steamer from Portland to Astoria was 8 hours and 18 minutes The *Oregon's* fastest record in the river is 6 hours and 45 minutes The difference—80 minutes—is in favor of her competitor

STATED CONCLAVE.—There will be a stated conclave of Oregon Commandery No 1 Knights Templar at their asylum Masonic Temple, this (Tuesday) evening at 7 30 o'clock Work in the red cross degree Sir knights are quested to be in attendance

LEG BROKE.—A little son of Mr Iversole living near St Johns had the misfortune yesterday morning to fall and break the right leg. An East Port and physician was telephoned for from Springville, and attended to the injuries

Pure Milk and Sweet Cream at R E Milk Depot, 249 First street

Pine st Coffee House open day and night.

All goods purchased at Bartsch's music store 143 First St. will be found just as represented

CHINESE NEW YEAR

Graphic Description of its Celebration by the Almond eyed Celestials of this City

EXPENSES AT THE VARIOUS THEATRES

The residents of Portland who emigrated from the Celestial empire have been making extensive preparations during the past week to celebrate their New Years day which began at 12 o'clock last night Every merchant of the heathen was busily engaged and nothing was wanting to make the occasion one of unusual gaiety and grandeur Until midnight the streets were filled with Celestials dressed in their best Sunday clothes and greeted each other with the same form of salutation characterizing the greetings of their white brethren The rich merchants entertained their friends with champagne, wine essence of corn from Kentucky and the finest cigars—and they were there can be no doubt seen to their best advantage The dudes of the season This being one year a few of the fashionable young gentlemen kept open house and received as is customary all young ladies who entered into the spirit of calling with all the decor of the strange sex

At 12 o'clock yesterday morning a selected orchestra of sixteen pieces of celestial brass China and tin under the leadership of Lee Ding began to play the well known national air of "Hail Columbia" and the procession started from Ah Bing's restaurant on Second street between Washington and Alder Some gentleman whose name could not be ascertained, in a very much broken English dialect read a letter from the people of Portland expressing the sincere wish that the new year might be a happy one to the Celestial Empire and all its subjects

The procession was headed by a transparency with the following inscription in Chinese characters

"Long live the Emperor of China"

Then followed a transparency with the following inscription in English

"Long live the Queen of England"

Then followed a transparency with the following inscription in English

"Long live the President of the United States"

Then followed a transparency with the following inscription in English

"Long live the Governor of Oregon"

Then followed a transparency with the following inscription in English

"Long live the Mayor of Portland"

Then followed a transparency with the following inscription in English

"Long live the Chief of Police"

Then followed a transparency with the following inscription in English

"Long live the Chief of the Fire Department

The Daily Oregonian.

TUESDAY MORNING FEB 10 1880

DECISION IN THE U S CIRCUIT COURT DEADY J

U S Circuit Court—District of Oregon

SATURDAY Feb 5 1880

The United States vs John Williams No 908. Indictment for attempt to commit murder

ATTEMPT TO COMMIT MURDER. There is no law of the United States for the punishment of the crime of an attempt to commit murder upon land in places within the exclusive jurisdiction thereof, unless committed by some means other than an assault with a dangerous weapon as by poison, drowning or the like

DANGEROUS WEAPON A dangerous weapon is one likely to produce death or great bodily harm and a loaded pistol is such a weapon within the knowledge of the court

INTENT. When it is practicable for the court to declare a particular weapon a dangerous one or not, it is the duty of the court to do so but otherwise it a question of law and fact to be determined by the jury under the direction of the court

DEADY J

On January 7 1879, the grand jury for this district found an indictment against the defendant containing two counts

The first one charges him with "an attempt to commit the crime of murder by means not constituting an assault with a dangerous weapon," by willfully and maliciously shooting one Edward Robert Roy on October 5, 1879, with a *loaded pistol* with intent him to murder, at Sitka in the territory of Alaska. The second one charges him with an assault upon said Roy at the time and place aforesaid, with a loaded pistol with intent him to kill, and alleges that said territory of Alaska was then and there Indian territory. The defendant demurred to the indictment upon the ground that the facts stated did not constitute a crime.

The court sustained the demurrer to the second count, holding that Alaska was not "Indian country" within the purview of 21 of the act of March 27, 1854, (10 Stat. 270-1 342 R S) defining the crime of an assault by a white person with intent to kill and with a deadly weapon with intent to kill and citing U S v Seveloff, 2 Saw 311 U S v Carr, 3 Saw 302, Waters v Campbell, 4 Saw.

The demurrer to the second count was overruled *pro forma*, whereupon the defendant pleaded guilty thereto and then moved in arrest of judgment for the cause stated in the demurrer

This court is bound upon 2 of the act of March 3, 1857, (11 Stat. 250 5342 R. S) which provides in effect that every person who, within any place or district of country where the executive, jurisdiction of the United States or upon the high seas or other water within the admiralty jurisdiction thereof and out of the jurisdiction of any portion of the state, attempts to commit murder, by any means not constituting the offense of assault with a dangerous weapon," shall be punished,

Without doubt, Sitka in Alaska, is a place where the exclusive jurisdiction of the United States, and so far as this charge is concerned, not within the jurisdiction of any or of judicial districts thereof. Therefore it appearing from the indictment that the defendant was first brought within this district for trial, it follows that if the alleged assault is a violation of any law of the United States, the motion must be denied. (2 750 R. S., Ex. parte, Kerr, supra, 504.

The only provision in the statutes of the United States for punishing an *attempt* to commit murder or manslaughter on land is section 5342 supra, but for some reason it is confined to cases where the means do not constitute "the offense of assault with a dangerous weapon."

The offense of an assault with a dangerous weapon with intent to perpetrate a felony committed on the waters within the jurisdiction of the United States and not within the jurisdiction of any particular state, is punished by 3 of the act of March 3, 1857, (11 Stat. 252 5342 R. S.) but not the offense of assault with intent to commit murder or manslaughter on land or an assault there by means not constituting the offense of assault with a dangerous weapon, was not punishable by any law of the United States until the act of July 1, 1870, (16 Stat. 144) which was carried into